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Monitoring of the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Note by the Secretary-General

At its forty-eighth session, the General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, contained in the annex to its resolution 48/96 of 20 December 1993.[1] These 22 Rules provide a framework to further implement the goals of equality and full participation of disabled persons in social life and development as set forth in the World Programme of Action concerning Disabled Persons, adopted by the General Assembly in its resolution 37/52 of 3 December 1982.[2] In section IV, paragraph 2, of the Standard Rules, it was stipulated that the Rules should be monitored within the framework of the sessions of the Commission for Social Development. The appointment of a Special Rapporteur to monitor their implementation was also envisaged in that paragraph. In March 1994, the Secretary-General appointed Bengt Lindqvist (Sweden) Special Rapporteur on Disability of the Commission for Social Development. Mr. Lindqvist prepared three reports for the consideration of the Commission during his mandate,[3] which was renewed in 1997 and in 2000.[4] In June 2003, the Secretary-General appointed Sheikha Hessa Al-Thani (Qatar) Special Rapporteur for the period 2003-2005. The Special Rapporteur submitted an oral report to the Commission for Social Development at its forty-second session.[5] At its forty-third session, in February 2005, the Commission considered the report of the Special Rapporteur on the monitoring of the implementation of the Standard Rules during the 20 months since her appointment.[6] By its resolution 2005/9 of 21 July 2005, the Economic and Social Council welcomed the work of the Special Rapporteur, decided to renew her mandate through 31 December 2008, and

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requested the Special Rapporteur to submit to the Commission for Social Development an annual report on the monitoring of the implementation of the Standard Rules. The Secretary-General has the honour to transmit to the Commission the annual report of the Special Rapporteur.

Notes

[1] Available at www.un.org/esa/socdev/enable/dissre00.htm.

[2] A/37/351/Add.1 and Add.1/Corr.1, sect. VIII; available at www.un.org/esa/socdev/enable/diswpa00.htm.

[3] A/52/56, available at www.un.org/esa/socdev/enable/dismsre0.htm; E/CN.5/2000/3, annex, at www.un.org/esa/socdev/enable/disecn003e0.htm; and E/CN.5/2002/4, at www.un.org/esa/socdev/enable/disecn520024e0.htm.

[4] Economic and Social Council resolutions 1997/19 (www.un.org/documents/ecosoc/res/1997/eres1997-19.htm) and 2000/10 (www.un.org/esa/socdev/enable/ecosoc2000-10.htm).

[5] Available at www.un.org/esa/socdev/enable/srcsocd42.htm.

[6] E/CN.5/2005/5, available at www.un.org/esa/socdev/enable/srreportdec04.htm.

Report of the Special Rapporteur on Disability of the Commission for Social Development on monitoring of the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

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I. Introduction

1. This is my third report to the Commission for Social Development on the progress of Member States in the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities. As on previous occasions, I am awed by the responsibility that you have entrusted to me, and I hope to be able to carry it out.

A. Guiding principles

2. Throughout my work and regardless of the nature of the activities, there have been two main principles that guided my work. The first is the approach taken in carrying out the tasks and activities, and the second is the overarching goal towards which all activities are aimed.

The approach

3. During the past year, I have striven to adopt a constructive and affirmative approach, preferring to highlight the positive and celebrate the successes, while at the same time emphasizing the need for greater achievement and more concerted efforts.

The overall goal

4. While continuing to monitor, assess, evaluate and advocate for more meaningful and deeper implementation of the Standard Rules, I have not lost sight of the fact that the ultimate goal of all the work being done is the equalization of opportunities for persons with disabilities.

5. Equalization of opportunities is a universal concept measured against universal norms, which should apply to all cultures and countries equally. The challenge is that we live in an increasingly diverse world where levels of development, cultural values, attitudes, norms, needs and services differ from one region to another, from one country to another, and even within the same country.

6. While some countries are trying to perfect the conditions of equalization of opportunities for their disabled populations, there are other countries in which most have not been able to achieve basic human rights. This makes the job of monitoring the implementation of the Standard Rules extremely challenging.

7. Added to this are the complexity and diversity within the disability movement itself and among the different types of disabilities. In many cases accessibility takes on a different meaning for people with different disabilities living in different geographical areas. This recognition of diversity has given rise to a richer culture within the disability movement, but it also requires that we monitor the equalization of opportunities in different ways by applying a variety of methods and looking at it from different angles and dimensions.

Scope of the report

8. The present report builds on those of previous years. It is based on the vision of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and encompasses the duties of the Special Rapporteur relating to the

monitoring of Governments' implementation of the Rules, as detailed in section IV of the Rules.

9. The present report is in two parts. The first deals with the results of the global survey on Government actions for the implementation of the Standard Rules. The purpose is to present a preliminary picture of the results. This is the first comprehensive survey to assess Governments' moral and political commitment to the implementation of the Standard Rules since their unanimous adoption by the international community. By targeting all Member States and two disabled persons' organizations in each country, the survey differs from its predecessors. It also differs from previous surveys by addressing each of the Standard Rules separately. The second part of the report deals with the activities and achievements of the past year.

II. Global survey on Government actions for the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

10. The idea of conducting a comprehensive survey was conceived at the start of the Special Rapporteur's mandate in 2003. However, it was not possible to do it at the time owing to practical, financial and logistical constraints.[1]

11. Work on the survey began with the design of the questionnaire in June 2004. At the same time, a number of measures and steps were taken to guarantee the best possible results.[2]

A. Purpose and goals

12. The purpose and goals of the survey are as follows:

(a) Determine the level and degree to which the Standard Rules have been implemented worldwide;

(b) Increase Governments' awareness of the Standard Rules and draw their attention to their moral and political obligation to implement them;

(c) Present to Governments possible steps to implement the Standard Rules by listing them among the responses to each question;

(d) Identify the demographic, economic, social and political characteristics of those countries that have succeeded in implementing the Rules;

(e) Chart the progress made by each country in the implementation of the Standard Rules and areas requiring further work;

(f) Identify the challenges to implementing the Standard Rules;

(g) Lay the foundations for a comprehensive database relating to Government actions on the implementation of the Standard Rules and use it in future monitoring activities;

(h) Identify the strengths and weaknesses in the implementation of the Standard Rules worldwide;

(i) Seek the participation of disabled persons' organizations and solicit their opinions with regard to Government programmes and efforts to implement the Standard Rules;

(j) Use the survey as a tool to encourage dialogue at the national and regional levels between disabled persons' organizations and Governments around the issues of equalization of opportunities. The survey may also serve as a guide to Government interventions.

B. Target population

13. Consistent with its unanimous adoption and its reflection upon the moral and political commitment of Governments around the world, the survey covered all 191 Member States.

14. In recognition of the role that disabled persons' organizations play as motivators, advocates and participants in the implementation of the Standard Rules, and in keeping with the vision of the Standard Rules that requires the participation of such organizations and the equalization of opportunities, two disabled persons' organizations from each country were included in the survey.

C. Survey instrument

15. The survey is a comprehensive, detailed document, inclusive of every procedure Governments have agreed to implement in fulfilment of their commitment to the equalization of opportunities. Each question included a checklist relating to the procedure, and respondents were requested to tick applicable responses.[3]

D. Administering the survey

16. A period of three months was given to fill out the questionnaire and return it to the office of the Special Rapporteur. Distribution began in November 2004 and the deadline was set for 31 January 2005.

17. To include the widest number of disabled persons' organizations, the help of such organizations as the World Blind Union, the World Federation of the Deaf, Inclusion International and the Center for International Rehabilitation was enlisted.

18. The deadline was extended until the end of February after the office of the Special Rapporteur received only a limited number of responses. Respondents were asked to include the legislation adopted and to elaborate on any other measures not included in the checklist provided.

19. No specific questions were cited for Rules 14 and 15. Instead, "policies" and "legislation" were included as alternatives for the other rules.

20. To ensure space for free expression, a section was included to allow respondents to state their opinions and impressions on all of the issues raised, as well as the survey itself.

E. Preliminary results of the survey

21. All told, 191 questionnaires were sent to Governments and 382 to disabled persons' organizations.

22. A preliminary audit of the returns resulted in the rejection of 16 questionnaires owing to incomplete responses or missing pages. Some 73 Governments and 41 disabled persons' organizations responded to the questionnaire, providing detailed information about 114 countries, or 60 per cent of all Member States.[4] No responses were received from 77 countries, or 40 per cent of Member States.[5]

23. Some countries with a federal system of Government felt unable to respond, as each province or state had its own legislation, plans and programmes.[6]

24. What is most notable is the high response rate from the Arab region. At 86 per cent, this is the highest rate of response from that region in the history of these surveys.[7]

Rule 1
Awareness-raising

25. Respondents were asked about the measures taken to raise awareness in society about persons with disabilities, their rights, their needs, their potential and their contribution.

26. Some 64.0 per cent of respondents stated that their countries had adopted national awareness-raising policies, while 58.8 per cent responded that they had passed legislation.

27. Concerning the adoption of programmes and the drafting of media guidelines for raising public awareness, 61.4 per cent and 30.7 per cent, respectively, responded that they had done so. Additionally, 52.6 per cent of the responding countries said they had trained personnel in raising public awareness; 58.8 per cent had disseminated printed materials; 37.7 per cent had integrated awareness-raising into the school curriculum; and 53.5 per cent had worked on educating the public about the rights, needs and potential of persons with disabilities. The survey also revealed that 75.4 per cent of countries that responded routinely consult and collaborate with organizations of persons with disabilities.

28. Many countries also provided examples of the measures taken to raise public awareness, such as designating a national day and celebrating the International Day of Disabled Persons (3 December).

29. In response to the question about the nature and scope of the awareness-raising materials, 67.5 per cent stated that they covered all types of disabilities, including developmental and psychosocial disabilities; 70.2 per cent indicated that materials were inclusive of the social, political and development rights of persons with disabilities; and 69.3 per cent responded that the materials included the right to services, full participation and equal opportunities.

30. On the issue of the potential of persons with disabilities, 64.9 per cent responded that their materials raised awareness of the issue; 66.7 per cent indicated that their materials included contributions of persons with disabilities to social, cultural, scientific and economic spheres; and 67.5 per cent responded that their media content described persons with disabilities in positive terms, considered the

rights of persons with disabilities, and gave ample weight to issues of rights, diversity, dignity and equality.

31. In 15.8 per cent of responding countries, the media promote attitudes of pity and compassion or negative stereotypes, in addition to discounting the role, needs and even the existence of persons with disabilities.

Rule 2
Medical care

32. Respondents were asked whether Governments provided effective medical care to persons with disabilities.

33. Of the countries that responded to the survey, 60.5 per cent indicated they had adopted policies to ensure access to effective medical care for persons with disabilities; 44.7 per cent had passed legislation; 56.1 per cent had introduced programmes; 64.9 per cent had allocated funds for medical care; and 56.1 per cent had trained medical personnel to deliver appropriate medical programmes.

34. Additionally, 64.9 per cent indicated that they had made medical care accessible to persons with disabilities. The proportion of countries that consulted with disabled persons' organizations was 60.5 per cent, and 56.1 per cent of responding countries stated that they provided persons with disabilities with accessible information on medical services.

35. Many countries also indicated other measures, such as setting up occupational rehabilitation units.

36. In response to the question about measures relating to the health of persons with disabilities, 71.1 per cent stated that they had taken steps to raise awareness about the causes of disability; 78.1 per cent had worked on improving pre- and post-natal care; 65.8 per cent had implemented early detection; and 64.9 per cent had implemented early intervention measures.

Rule 3
Rehabilitation

37. Respondents were asked whether Governments ensured the provision of rehabilitation services to persons with disabilities, to reach and sustain their optimum level of independence and function.

38. The survey revealed that 56.1 per cent of countries have adopted national policies on rehabilitation; 49.1 per cent have passed legislation; 59.6 per cent have introduced programmes; 64.0 per cent have allocated financial resources; 65.8 per cent have trained personnel in rehabilitation and 71.9 per cent have adopted measures to ensure access to rehabilitation services for persons with disabilities. The proportion of countries that consult disabled persons' organizations is 71.1 per cent.

39. With respect to the inclusiveness of rehabilitation services, 59.9 per cent responded that they offered such services to people with all types of disabilities; 77.2 per cent to children with disabilities; 69.3 per cent to women with disabilities; 67.5 per cent to persons with disabilities on low and limited incomes; 57.9 per cent to all geographical areas and segments of societies; and 62.3 per cent regardless of race and ethnicity.

40. Of those countries that responded, 59.6 per cent and 57.9 per cent, respectively, indicated that they provided rehabilitation services to organizations of persons with disabilities and to the families of persons with disabilities; while 46.5 per cent and 47.4 per cent, respectively, offered community-based services and covered the needs of all types of disabilities. Fourteen per cent offered no rehabilitation services.

41. On the planning, design, delivery and evaluation of rehabilitation services, 70.2 per cent said that they were done with the help of medical personnel and 50.0 per cent with the participation of families of persons with disabilities; 60.5 per cent said that rehabilitation programmes extended to schools, educational institutions and teachers; and 40.4 per cent acknowledged the involvement of the communities where persons with disabilities live. With regard to the participation and consultation of disabled persons' organizations in planning, designing and executing rehabilitation programmes, 55.3 per cent responded positively while 17.5 per cent stated that no consultation and collaboration mechanisms existed.

Rule 4
Support services

42. Respondents were asked whether Governments provided support services, including assistive devices, to help persons with disabilities to increase their level of independence in their daily living and to exercise their rights.

43. The survey revealed that 50.9 per cent have adopted policies relating to support services; 50.0 per cent have passed legislation; 46.5 per cent have allocated financial resources; 69.3 per cent supply persons with disabilities with the necessary devices and equipment; and 63.2 per cent do so in consultation with disabled persons' organizations.

44. As for services provided by Governments in response to needs in the areas of technology, personal assistance, interpretation services and others, 61.4 per cent responded that they provided such services to children; 55.3 per cent to women; and 56.1 per cent to low-income and working-class persons with disabilities.

45. Additionally, 43.9, 47.4, 46.5, 47.4 and 53.5 per cent, respectively, responded that services were provided to all geographical areas, to all socio-economic segments, to all races and ethnicities, to all religious denominations, and for all types of disabilities. By comparison, 24.6 per cent responded that there were no support or assistive services, or technological devices of any kind, in their countries.

Rule 5
Accessibility

46. Respondents were asked whether Governments recognized the importance of accessibility in the process of the equalization of opportunities in all spheres of society, through programmes to make the physical environment accessible and measures to provide access to information and communication.

47. The survey revealed that 56.1 per cent of the responding countries have adopted policies, 52.6 per cent have passed legislation, 43.0 per cent have introduced programmes and 42.1 per cent have allocated financial resources to make the physical environment accessible.

48. In addition, 36.0 per cent have civil engineers and architects who are trained in access issues; 54.4 per cent have worked to increase access awareness; 41.2 per cent have implemented accessibility programmes; and 62.3 per cent have involved organizations of persons with disabilities in the planning and implementing of access measures. Some 17.5 per cent of countries have no measures relating to accessibility.

49. On the question of access to public buildings and institutions, 56.1 per cent said that provisions were made for access to schools and hospitals, community, medical and rehabilitation centres, clinics, public libraries, theatres and recreational centres; 57.0 per cent indicated that accessibility measures included all public buildings and government offices; 45.6 per cent stated that accessibility extended to the outdoor physical environment such as sidewalks, car parks and pedestrian streets; 36.8 per cent said that transportation facilities (land, rail, air and sea) were accessible; and 31.6 per cent indicated that no provisions for access were available in their countries.

50. Concerning information, the survey revealed that it is available in an accessible form to persons with disabilities in 36.0 per cent of the responding countries; to their families in 35.1 per cent; to disabled persons' organizations in 44.7 per cent; and to society at large in 50.0 per cent. Some 30.7 per cent of respondents said that accessible information was not available to any segment or in any form.

51. Concerning the measures taken by Governments to ensure the accessibility of information to persons with disabilities, the results showed that 45.6 per cent have adopted policies; 35.1 per cent have passed legislation; 46.5 per cent have introduced programmes; and 46.5 per cent have allocated financial resources.

52. Moreover, 36.0 per cent have trained interpreters; 47.4 per cent have increased awareness of accessibility with regard to information; 37.7 per cent carry out accessibility programmes; and 54.4 per cent consult disabled persons' organizations. Some 21.1 per cent of respondents have not adopted any of the measures indicated above.

53. In terms of the inclusiveness of accessibility measures, 60.5 per cent indicated that information was accessible to blind and visually impaired persons; 48.2 per cent to deaf/blind persons; and 54.4 per cent to deaf and hearing impaired persons. Accessible information is available to persons with developmental disabilities in 40.4 per cent and to persons with psychosocial disabilities in 33.3 per cent of responding countries.

54. On the question of the nature and format of accessible information, the survey revealed that 69.3 per cent provide reading materials in Braille; 62.3 per cent provide reading materials in audio format; 29.8 per cent provide news magazines in both Braille and audio format; 64.0 per cent have information available in sign language; and 21.1 per cent have reading material available for persons with developmental disabilities. By comparison, 18.4 per cent of respondents indicated that there were no accessible materials in any form in their countries.

Rule 6
Education

55. Respondents were asked whether Governments recognized the principle of equal primary, secondary and tertiary educational opportunities in integrated settings and took measures to ensure that equal opportunity was an integral part of the educational system.

56. With respect to the measures taken by Governments to achieve the inclusion of persons with disabilities in mainstream education, the survey revealed that 65.8 per cent have adopted policies; 55.3 per cent have passed legislation; 69.3 per cent have adopted inclusion programmes; and 68.4 per cent have allocated financial resources. Furthermore, 61.4 per cent of responding countries have taken measures to rehabilitate the school environment to meet the needs of children with disabilities; 73.7 per cent have trained teachers and school administrators to deal with the needs of children with disabilities; and 60.5 per cent have provided schools with educational materials, equipment and facilities for the use of children with disabilities.

57. Disabled persons' organizations are involved in the planning and execution of inclusion measures in 58.8 per cent of the countries. In 7.9 per cent of responding countries, none of the inclusion measures mentioned above have been taken.

58. Concerning the provision of education to persons with disabilities, 87.7 per cent of the responding countries provide education to children with disabilities; 67.5 per cent to women with disabilities; 67.5 per cent to low-income and working-class persons with disabilities; 65.8 per cent to persons with disabilities from all races and ethnicities; 68.4 per cent to people of all religious denominations; 58.8 per cent to all communities (urban, rural, agricultural, tribal, indigenous, migrant, refugee and illegal aliens); and 60.5 per cent to people with all types of disabilities.

59. In terms of the methods, means and techniques used to deliver education to persons with disabilities, 69.3 per cent of the countries employ sign language interpreters; 79.8 per cent use educational materials in Braille; 59.6 per cent use audio format; 67.5 per cent use appropriate materials for persons with intellectual disabilities; and 63.0 per cent use educational programmes specific to children who are unable to be integrated into the mainstream educational system.

60. Eleven per cent of the countries surveyed indicated that they had no specific programmes or plans for the inclusion of children with disabilities into education, and did not use any of the methods, means and techniques mentioned above.

Rule 7
Employment

61. The survey asked about Government recognition of the principle that persons with disabilities must be empowered to exercise their human rights, particularly in the field of employment, and must have equal opportunities for productive and gainful employment in the labour market.

62. The responses revealed that 59.6 per cent of countries have adopted policies, 61.4 per cent have passed legislation, 57.0 per cent have adopted programmes and 55.3 per cent have allocated financial resources for this purpose; 66.7 per cent have trained persons with disabilities to help them find employment; and 39.5 per cent

rehabilitate and restructure the physical, administrative, social and work environment to accommodate persons with disabilities in the workplace.

63. Responses also showed that 56.1 per cent raise awareness among relevant administrations and managers about issues affecting persons with disabilities in the workplace, 27.2 per cent provide accessible transportation to and from work and 48.0 per cent consult disabled persons' organizations about issues of disability and the workplace, while 14.9 per cent have no measures relating to the employment of persons with disabilities.

64. Regarding equal opportunities for employment, in 44.7 per cent of the countries persons with disabilities have equal prospects of being hired; in 50.0 per cent they have equal prospects for promotion; in 56.1 per cent they have equal access to work benefits; in 54.4 per cent they have equal prospects for raises and pay increases; and in 55.3 per cent they have equal access to training programmes.

Rule 8
Income maintenance and social security

65. Respondents were asked whether Governments fulfilled their responsibility to provide social security and income maintenance for persons with disabilities.

66. Of those countries that responded to the survey, 49.1 per cent have adopted policies, 50 per cent have passed legislation and 54.4 per cent have allocated financial resources for that purpose, 45.6 per cent provide persons with disabilities with information regarding social security and income maintenance and 46.5 per cent consult with disabled persons' organizations, while 27.2 per cent have no such provisions.

67. The survey revealed that those who suffer income cuts due to temporary disability receive income support in 50.9 per cent of the countries, while those whose disability is due to on-the-job injuries or accidents enjoy income support in 29.8 per cent.

68. Income support is provided to individuals with physical disabilities, sensory disabilities, intellectual disabilities and psychosocial disabilities by 58.8, 51.8, 56.1, and 44.7 per cent, respectively, of the countries that responded. Women with disabilities receive income support in 55.3 per cent of responding countries, and the parents of children with disabilities in 43 per cent.

69. In 37.7 per cent of countries, income support is provided to the caretakers of persons with disabilities. It is provided to all persons with disabilities regardless of their social, economic, religious, ethnic or racial background in 46.5 per cent of countries. There is no income support for any of the above-mentioned segments of the population in 21.1 per cent of responding countries.

Rule 9
Family life and personal integrity

70. Respondents were asked whether Governments promoted the right of persons with disabilities to personal integrity and ensured that laws did not discriminate against them with respect to family life, sexual relationships, marriage and parenthood.

71. Results revealed that 39.5 per cent of countries have adopted policies, and 40.4 per cent have passed legislation, 36.0 per cent have allocated financial resources and 43.0 per cent have raised public awareness with regard to the right to family life including parental rights for persons with disabilities, and 41.2 per cent have raised awareness among persons with disabilities themselves.

72. Monitoring and follow-up mechanisms to identify infringements of the rights of persons with disabilities have been set up in 31.6 per cent of the countries that responded, and 51.8 per cent consult disabled persons' organizations.

73. With respect to the full enjoyment of those rights, 75.4 per cent reported participation in family life, 74.4 per cent reported enjoyment of sexual rights, 81.6 per cent reported enjoyment of marital rights, 79.8 per cent reported enjoyment of parental rights, 74.6 per cent reported enjoyment of the right to privacy and 66.7 per cent reported access to guidance and counselling for persons with disabilities. No such rights exist for persons with disabilities in 12.3 per cent of responding countries.

Rule 10
Culture

74. Respondents were asked whether Governments ensured that persons with disabilities were integrated into cultural activities and could participate on an equal basis.

75. The results showed that 41.2 per cent have adopted policies to ensure the full inclusion of persons with disabilities in cultural life, 33.3 per cent have passed legislation, 41.2 per cent have adopted programmes and 45.6 per cent have allocated financial resources.

76. Of the countries that responded, 48.2 per cent have raised public awareness of the cultural rights of persons with disabilities, while 50.0 per cent have raised awareness of those rights among persons with disabilities themselves. Some 49.1 per cent of responding countries provide persons with disabilities with accessible spaces to enable them to participate in cultural life, while 36.0 per cent provide them with accessible information about cultural activities.

77. Moreover, 38.6 per cent of countries have made cultural activities accessible to persons with disabilities and 60.5 per cent have consulted disabled persons organizations regarding measures and procedures to be taken to make cultural activities fully accessible to persons with disabilities.

78. The percentage of countries that have not taken steps to ensure participation in and access to cultural life by persons with disabilities stands at 26.3 per cent.

Rule 11
Recreation and sports

79. Respondents were asked about measures taken by the State to ensure that persons with disabilities have equal opportunities to participate in recreation and sports.

80. Country responses ranged as follows: 50.9 per cent have adopted policies to ensure the right of persons with disabilities to participate in sports and recreational activities; 36.8 per cent have passed legislation; 60.5 per cent have allocated

financial resources; 55.3 per cent have raised public awareness; and 53.5 per cent have raised awareness of those rights among persons with disabilities themselves.

81. Accessible venues and spaces to practise and participate in sports, accessible information regarding sports and recreational activities and accessible sporting activities were reported by 52.5, 49.6 and 64.6 per cent of the countries, respectively. In 14.2 per cent of the countries, no measures have been taken to ensure the participation of persons with disabilities in sports and recreational activities.

82. In terms of the level of participation of persons with disabilities, 59.3 per cent of countries reported participation at the community level, 70.8 per cent reported participation at the national level and 68.1 per cent reported participation at the international level.

83. Among those countries that responded, 47.8 per cent reported persons with disabilities participating as amateur athletes while 24.8 per cent reported them participating as professional athletes. Some 19.5 per cent reported that no opportunities for persons with disabilities to participate in athletics and recreational sports were available at any of the levels mentioned above.

84. Asked about the accessibility of sports, recreational and athletic venues, 54.9 per cent of the respondents said that they were accessible.

Rule 12
Religion

85. Respondents were asked about the measures taken by Governments to encourage equal participation of persons with disabilities in the religious life of their communities.

86. The survey revealed that 30.1 per cent have adopted policies, 23.9 per cent have passed legislation, 23.0 per cent have adopted programmes and 23.0 per cent have allocated financial resources for that purpose; 32.7 per cent have raised public awareness of the religious rights of persons with disabilities; and 28.3 per cent have raised awareness of those rights among persons with disabilities themselves.

87. With respect to the accessibility of places of worship and religious events, 29.2 per cent of the countries stated that they were accessible; 35.4 per cent provided accessible information regarding religious services and events; and 35.4 per cent ensured that religious services and events were accessible to persons with disabilities.

88. On the question of accessibility to religious services for all persons with disabilities, 54.9 per cent responded positively.

Rule 13
Information and research

89. Respondents were asked whether Governments collected and disseminated information on the living conditions of persons with disabilities and promoted comprehensive research on all aspects, including obstacles that affect the lives of persons with disabilities.

90. Results indicate that 42.5 per cent of countries have adopted policies on this matter, 27.4 per cent have passed legislation, 41.6 per cent have adopted programmes and 42.5 per cent have allocated financial resources.

91. In addition, 44.2 per cent of Governments have programmes to raise awareness of the need for statistics and information; 69.0 per cent collect data and information; 60.2 per cent collaborate with disabled persons' organizations; 46.0 per cent disseminate statistics and information to users and researchers; and 45.1 per cent update their statistics periodically. Only 17.7 per cent of countries have no programmes for collecting and disseminating statistics and conducting research into disability issues.

92. Asked about the existence of systems for collecting, processing, analysing and publishing data about disability, 55.8 per cent responded positively while 44.2 per cent said that they had no such system.

93. On the areas covered by disability statistics, 58.4 per cent have statistics dealing with the prevalence and incidence of disability; 72.6 per cent have statistics on the types of disabilities; and 55.8 per cent have statistics broken down by gender, age, background, social and economic situation and geographical location. In 47.8 per cent of countries, statistics cover the needs of persons with disabilities; in 53.1 per cent they deal with the programmes and services provided to persons with disabilities; and in 42.5 per cent they include the availability, scope and coverage of services.

94. Standard of living statistics for persons with disabilities are available in 52.2 per cent of the countries. In 58.4 per cent of the countries, statistics cover the educational levels of persons with disabilities; in 29.2 per cent they cover employment; and in 24.1 per cent there are statistics on the expense incurred by having a disability.

95. Some 20.4 per cent of countries have statistics about the effect of social policies on persons with disabilities; 16.8 per cent monitor the type of research being undertaken and the parties conducting it; and 41.6 per cent collect data on disabled persons' organizations, their programmes, services and coverage.

Rule 16
Economic policies

96. Respondents were asked what economic policies Governments have adopted to create equal opportunities for persons with disabilities.

97. Of the countries that responded, 43.4 per cent have adopted economic policies specific to persons with disabilities; 40.7 per cent have passed legislation; 62.8 per cent offer financial support to projects relevant to persons with disabilities; and 49.9 per cent have created a fund to support grass-roots projects and programmes for persons with disabilities. Additionally, 43.4 per cent have involved disabled persons' organizations in financial planning while 18.6 per cent have not taken any financial measures.

Rule 17
Coordination of work

98. Respondents were asked what actions Governments had taken to establish and strengthen national coordinating bodies on disability.

99. The survey found that 61.9 per cent of countries have established permanent coordination committees; 49.6 per cent have bestowed a legal status on those committees; 45.1 per cent have allocated budgets to them; 66.4 per cent have included organizations of persons with disabilities in the committees; and 46.0 per cent require gender balance and representation of all types of disabilities in the committees. By comparison, 16.8 per cent of responding countries have not taken steps to implement Rule 17.

100. With respect to the effect that these measures have had on the actual situation, 69.0 per cent said that their committees had representation by persons with disabilities; 60.2 per cent said that their committees had legal status; 51.3 per cent said that all types of disabilities were represented on their committees; and 34.5 per cent said that their committees' membership was gender-balanced. Finally, 32.7 per cent said that their committees received adequate funding.

Rule 18
Organizations of persons with disabilities

101. Respondents were asked what actions Governments had taken to ensure and encourage the formation and participation of organizations to represent persons with disabilities at the local, regional and national level.

102. Initial analysis of responses shows that 45.1 per cent of countries have adopted policies to encourage the formation and participation of disabled persons' organizations; 45.1 per cent have passed legislation; and 46.0 per cent have launched programmes to empower and support disabled persons' organizations. In addition, 35.4 per cent have set administrative guidelines; 55.8 per cent have allocated financial resources; and 44.2 per cent have granted consultative status with the Government to disabled persons' organizations.

103. Of the countries that responded, 61.9 per cent collaborate with disabled persons' organizations on all matters relating to persons with disabilities and 55.8 per cent have given them legal and representational status, while 11.5 per cent of countries have yet to adopt any measures.

104. Regarding the role that disabled persons' organizations play, the survey revealed that in 67.3 per cent of countries they offer advice and guidance on policies; in 77.0 per cent they identify priorities; in 62.8 per cent they collaborate in planning; in 54.0 per cent they collaborate in monitoring and evaluation; and in 77.0 per cent they are actively involved in all awareness-raising efforts. Disabled persons' organizations play no significant role in a small number of countries, 6.2 per cent.

Rule 19
Personnel training

105. Respondents were asked to what extent Governments ensure adequate training of personnel involved in the planning and provision of programmes and services concerning persons with disabilities.

106. The survey found that 39.8 per cent of countries have adopted policies on personnel training; 24.8 per cent have passed legislation; 54.9 per cent have adopted training programmes; 39.8 per cent have set professional standards for personnel; 46.9 per cent have allocated financial resources for the training of personnel; 46.0 per cent have engaged in capacity-building of personnel; and 46.0 per cent involve disabled persons' organizations in their training; while 22.1 per cent have not taken any measures with respect to training.

Rule 20
National monitoring and evaluation of disability programmes in the implementation of the Rules

107. In relation to the continuous monitoring and evaluation of the implementation of national programmes and services concerning the equalization of opportunities for persons with disabilities, the survey had the following results.

108. Of the countries that responded, 46.9 per cent have adopted an official definition of disability; 39.9 per cent have established a national monitoring body; and 47.8 per cent have worked on collecting data on disability. In addition, 47.8 per cent have conducted a national census; 23.9 per cent have established a national registry; 47.8 per cent have used data collected by public institutions and service providers; and 47.8 per cent have used data collected by disabled persons' organizations. By comparison, 18.6 per cent have not taken any of the above measures to monitor equalization of opportunities.

109. As for the scope of the monitoring and evaluation mechanisms, 43.4 per cent of responding countries said that they covered the size and prevalence of disability; 54.9 per cent that they covered types of disabilities; 48.7 per cent that they covered age distribution; 46.0 per cent that they covered disability according to gender; and 44.2 per cent that they covered disability according to geographical location. Additionally, 38.1 per cent reported that their monitoring activities included disabled persons' organizations; 38.1 per cent included service provision organizations; 33.6 per cent included service providers; and 24.8 per cent included others.

110. With regard to the use of information from monitoring activities, 55.8 per cent reported using it to formulate policy; 51.3 per cent to amend and improve services; and 49.6 per cent to review and restructure programmes. Information is published and disseminated in 36.3 per cent of countries, while in 47.8 per cent it is used in awareness-raising and education. Furthermore, 47.8 per cent use information from monitoring activities in annual and periodical reports at the national level; 37.2 per cent in research; and 4.4 per cent for other purposes.

Rule 21
Technical and economic cooperation

111. When asked about measures to improve living conditions of persons with disabilities in developing countries through technical and economic cooperation, 68.1 per cent of the responding countries said that they were signatories to international agreements and treaties; 51.3 per cent that they were party to bilateral and multilateral cooperation agreements; and 61.9 per cent that they were either donors or recipients of financial aid.

112. Furthermore, 67.3 per cent referred to cooperation in the context of exchanging information, best practices and the transfer of knowledge; 51.3 per cent referred to technological exchanges; 56.6 per cent reported participating in international development programmes; and 67.3 per cent reported taking part in regional and international initiatives. The proportion of countries that did not take any measures in this area was 13.3 per cent.

Minorities, refugees and other marginalized groups

113. The survey incorporated specific questions concerning minorities, refugees and other marginalized segments of society.

114. Of the countries that responded, 33.9 per cent include these groups in their measures, policies, programmes and services; 21.4 per cent have adopted programmes specific to the needs of persons with disabilities from these groups; and 25.9 per cent assist the families of persons with disabilities from these groups.

115. With respect to services, 39.3 per cent reported taking measures to ensure that services are accessible to these groups and 25.0 per cent said that persons with disabilities belonging to these groups, and their families, were represented in disabled persons' organizations.

116. Additionally, 41.1 per cent of respondents said they took measures to ensure that members of these groups had access to education; 24.1 per cent said that they provided access to employment; and 27.7 per cent that they provided appropriate housing.

117. Protection for women and children is provided in 23.2 per cent of countries, and 23.2 per cent allocate financial resources to the issues and concerns of marginalized groups. No measures have been taken in 37.8 per cent of countries.

F. Conclusions regarding the survey

118. The results of this survey represent a wealth of information that requires a great deal of further analysis and explication. I wanted to share these preliminary results. I will be working, along with the team that supports me, the members of the Panel of Experts and interested stakeholders, on analysing and explicating these results to build on and enrich existing data.

119. During the coming months, countries that have not responded will be urged to do so. Priorities for the next phase of work will be set in accordance with the information gleaned from the survey.

120. Efforts will be renewed to involve United Nations agencies dealing with health, education, employment, empowerment of women, population, social development, child rights and human rights.

III. Activities and achievements

121. In addition to the survey, the past year included activities at all levels to monitor and further the implementation of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities.

A. Awareness-raising

122. A parliamentary process was launched to raise awareness and build capacity among parliamentarians and legislators in the Arab region. The current year saw the convening of two of the 14 symposiums to be held over the next three years. The first symposium was held in Amman in March 2005;[8] the second will be held in Beirut in December.

123. A child-to-child awareness-raising programme was developed for use with schoolchildren, and educational authorities were encouraged to implement it.

124. In my capacity as Special Rapporteur, I participated actively in conferences, symposiums, workshops, meetings and international and regional initiatives relating to the rights and equal opportunities of persons with disabilities.[9]

B. Advocacy

125. Reinforced by objective monitoring, advocacy can be a most effective tool to encourage Governments, policymakers and decision makers to adopt the vision of equalizing opportunities for persons with disabilities.

126. Advocacy is the main purpose for regional consultations and country visits, in which the Special Rapporteur meets with Government officials at the highest levels and with representatives of international development organizations and disabled persons' organizations. Efforts in this domain in 2005 were as follows.

127. The Special Rapporteur held a meeting with the President of the General Assembly to discuss the inclusion of disability issues in the final document of the 2005 World Summit held in September. The General Assembly included disability in paragraphs 129 and 142 of the document (resolution 60/1). This result could not have been achieved without the cooperation of the permanent representatives, heads of regional delegations and disabled persons' organizations who supported the effort.

128. A statement presented to the Commission on Human Rights in April called on the Commission to give disability issues a higher priority and to allow more time for discussing them during its meetings. The statement also called on United Nations monitoring bodies to include disability in their monitoring activities, paying particular attention to the issues of women and children in their review of country reports.

129. In a meeting with the Government of Tunisia, the Special Rapporteur suggested that accessibility issues be taken into consideration during the refurbishment and restoration of vacation spots in coastal regions, and that those regions be marketed as destinations for persons with disabilities.

130. In a meeting with the Ministry of Finance in Guinea, the Special Rapporteur suggested that the Government could translate its political commitment to persons with disabilities into reality by allocating appropriate funds.

131. In a meeting with the Minister for Foreign Affairs of Finland, it was suggested that Finland, along with other Nordic countries and in cooperation with the World Federation of the Deaf, could lend financial, technical and technological support to assist other regions in the formulation and development of policies, programmes and services for deaf persons. A concept paper and proposal are being prepared for this purpose.

132. The work of the United Nations development agencies and funds has been a concern for the Special Rapporteur since the beginning of her mandate. Measures are being taken, through dialogue and inclusion in activities and programmes, to place disability among the priority areas of organizations dealing with women's issues, children's rights, population, health, education and nutrition.

133. A questionnaire was designed and sent to the regional representatives of each organization asking them about their mandate, programmes, projects and activities as they relate to persons with disabilities, and the percentage of budgetary allocation that goes towards issues of disability. A few responded, but most declined, stating that those issues were not part of their mandate.

134. During the year, meetings were held with the regional directors and executive secretaries of the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund and the United Nations Development Fund for Women, and a number of officials from the United Nations Development Programme.

C. Country visits and regional consultations

135. In many developing countries the Government is the major, if not the sole, actor when it comes to setting policies, enacting legislation and delivering programmes. Owing to the weakness of advocacy efforts by civil society in some countries and the lack of sufficient resources, issues relating to disabilities have often been pushed to the bottom of the list of Government priorities.

136. In the last 12 months, I conducted several country visits. Some were in response to invitations from Governments or disabled persons' organizations, while others were initiated on the basis of information and research or were based on the need to speed up, support or push forward certain initiatives or programmes.

137. The aim of country visits and regional consultations has always been to open the channels of communication with Governments regarding the implementation of the Standard Rules, and to encourage dialogue between disabled persons' organizations and their Governments. Other activities include conducting, monitoring and assessing activities and witnessing first-hand the effect of such implementation or lack thereof.

138. Country visits for 2005 included Northern and Western Africa (Morocco, Tunisia, Guinea), Northern Europe (Sweden and Finland) and Southern and Eastern Africa (United Republic of Tanzania and South Africa).

139. During these visits, meetings were held with (a) Government representatives including ministers, deputy ministers and parliamentarians; (b) disabled persons' organizations and federations; (c) development organizations; (d) rehabilitation centres, schools for children with disabilities and health institutions and centres; (e) programmes of particular significance (e.g. Finnish school for severely disabled children preparing to join mainstream education); and (f) media representatives.

140. The focus of the visits was (a) to assess the implementation of the Standard Rules and monitoring of the areas of strength and weakness; (b) to listen to issues raised by disabled persons' organizations and discuss those concerns with relevant Government officials; (c) to observe country experiences and characteristics in dealing with issues of disability; and (d) to share successful experiences and good practices wherever possible.

IV. The Panel of Experts

141. As the Special Rapporteur on Disability, I would not be able to fulfil the responsibilities entrusted to me by the Commission on Social Development without the help, cooperation, advice and counsel of organizations of persons with disabilities and the Panel of Experts representing those organizations.

142. Two meetings of the Panel of Experts were held in 2005. The first was convened in Amman in March 2005 in conjunction with the Arab Parliamentary Symposium on Legislating Disability Issues in the Arab World, where members of the Panel shared their country experiences with legislating on disability. The second was held in New York in August 2005 in conjunction with the sixth session of the Ad Hoc Committee on the Rights and Dignity of Persons with Disabilities.

143. Panel members made suggestions on the draft of my statement to the Commission on Human Rights and encouraged their country ambassadors to support the inclusion of disability in the 2005 World Summit Outcome.

144. The support of the Panel, and the regular communication between its members and me have been instrumental to the successes of the past year.

V. Conclusions

145. **My previous report included a number of challenges and recommendations to Governments and disabled persons' organizations. During the past year, most of the activities concentrated on trying to meet these challenges and to urge Governments, relevant organizations and other stakeholders to respond to the recommendations.**

146. **The task is not an easy one and the challenges are many. Only through a collaborative effort can we hope to create a world that will accept each of us with our diverse abilities, our weaknesses and strengths, and to exercise that diversity in creating such a world.**

147. **All of the achievements to date in this domain constitute only a small dent in the huge task that needs to be accomplished. Making true progress towards an enabling world requires the combined efforts of all at every level — international, regional, national, communal and familial.**

148. **Finally, I would like to say that despite the commitment shown by Member States to the promotion and protection of the rights and dignity of persons with disabilities and to the equalization of opportunities for full participation, most have not matched their political commitment with a financial one.**

149. **I invite and encourage all Member States to make contributions to the United Nations Voluntary Fund for Disability in order to continue the valuable work of promoting and advancing the equalization of opportunities for persons with disabilities.**

Notes

[1] At the practical level, it was necessary to review previous surveys and studies to identify their issues, scope, design, management and the results obtained in order to build on their successes and to learn from the problems they faced. It was also necessary to identify the content of the questions and construct an instrument that validates and assesses the relevance of the responses. At the logistical level, it was necessary to identify the target groups, their locations and the means by which to communicate with them, and the time frame in which to do so.

[2] Identifying addresses and locations of target groups; translating the questionnaire into several languages along with the guideline for filling out and returning the questionnaire; obtaining postage-paid envelopes for the questionnaires sent to disabled persons' organizations; encouraging Governments to hold seminars with their local organization to discuss the content of the questionnaire and cooperate in filling it out; and finding and allocating the financial resources needed to conduct such a survey. The questionnaire was translated into French, Spanish and Arabic to remove any language barriers and allow for a smoother interaction with the content of the questionnaire.

[3] There was a total of 408 procedures and conditions which, taken together, would constitute the ideal level of adherence to the spirit, letter and philosophy of the equalization of opportunities and the Standard Rules. The questions were clearly worded and followed the order of the Standard Rules themselves, beginning with questions relating to the preconditions, then the target areas, and finally the implementation measures. Each question pertained to a Rule, and beneath each Rule was a checklist pertaining to the implementation measures.

[4] Two responses were obtained from Hong Kong and Palestine.

[5] This could be due to the length of the questionnaire (23 pages), or the number (47) and diversity of the questions. Another United Nations body had sent out its questionnaire on disability just prior to the Special Rapporteur's, which may have caused some confusion.

[6] Responses were received from each region as follows:

- Africa: 23 countries, or 53 per cent of the countries in the region
- Asia: 21 countries, or 43 per cent of the countries in the region
- Europe: 30 countries, or 65 per cent of the countries in the region
- Latin America: 21 countries, or 64 per cent of the countries in the region
- Arab States: 19 countries, or 86 per cent of the countries in the region.

[r] A contributing factor could be the growing awareness in the region of disability issues, generated by the adoption of an Arab Decade for Persons with Disabilities in May 2004 and the establishment of a Parliamentary Committee on Disability within the Union of Arab Parliaments together with the accompanying awareness-raising efforts. It is possible to speculate that translating the questionnaire into Arabic and having a Special Rapporteur from the region may also have contributed.

[s] Participants included parliamentarians from the Council of Europe and the German and South African parliaments as well as representatives of international disability federations. The symposium was instrumental in launching an inter- and intraregional, as well as intercultural dialogue on the equalization of opportunities, together with a dialogue between persons with disabilities and members of Arab parliaments. A number of parliamentary entities in other regions have expressed interest in having the same process and I am hoping that this process will expand to include parliaments in Africa, Asia and Latin America.

[t] Activities this year included:

(a) Inclusion International conference on poverty and intellectual disability in Europe, October 2005, contributed a paper on the same theme;

(b) Rehabilitation International conference on disability rights in a changing world, Manama, November 2005; presented a paper entitled "Disability rights as human rights: Focus on Women with Disabilities";

(c) Regional workshop on empowering women with disabilities, Manama, November 2005, participated in designing and planning the workshop;

(d) Gladnet regional workshop on people with disabilities in the labour market, Manama, November 2005; presented a paper entitled "The right to work for persons with disabilities";

(e) International conference of the World Federation of the Deaf, "Our Rights-Our Future", Helsinki, September 2005; presented a paper entitled "Disability rights in the context of human rights instruments";

(f) Meeting with the Swedish consortium of disabled persons' organizations in the context of a country visit to Sweden initiated by that group, September 2005;

(g) International conference of the Global Forum for Health Research, "Forum 9: Poverty, Equity and Health Research", Mumbai, India, September 2005. My office contributed a presentation entitled "The right to health: lessons from the disability movement";

(h) International conference on sports for persons with intellectual disabilities, Damascus, September, 2005;

(i) UNESCO flagship meeting on indicators for inclusion in education, Paris, June 2005. My office contributed a presentation entitled "Ensuring inclusion in education for persons with disabilities";

(j) UNESCO meeting on education for all in the Arab States, Beirut, June 2005;

(k) United Nations regional consultative meeting on the international convention, Morocco, July 2005;

(l) Meeting with Tunisian disabled persons' organizations in the context of a country visit to Tunisia, July 2005;

(m) Meeting with Guinean disabled persons' organizations in the context of a country visit to Guinea, July 2005;

(n) International conference on urban youth and children in the Middle East and North Africa; participated in the World Bank-sponsored parallel sessions on children and youth with disabilities, Dubai, May 2005;

(o) Regional conference on diagnosing, measuring and responding to autism, Dubai, March 2005.